

**MINUTES OF MEETING
SOUTH-DADE VENTURE
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the South-Dade Venture Community Development District was held on Thursday, November 12, 2009 at 3:00 p.m., at the Watersone Clubhouse, Phase II, 1355 Waterstone Way, Homestead, Florida.

Present and constituting a quorum were:

Alex Diaz de Villegas	Chairman
Kimberly Felipe-Ochoa	Vice Chairman
Curtis Cooper	Assistant Secretary
Sonia Castro	Assistant Secretary

Also present was:

Mike Pawelczyk	District Attorney
Paul Winkeljohn	District Manager
Dennis Baldis	Governmental Management Services
John Cusick	Waterstone Grand
Frank Carrington	Property Owner

FIRST ORDER OF BUSINESS

Roll Call & Pledge of Allegiance

Mr. Diaz called the meeting to order, called the roll and the Pledge of Allegiance was recited by all who attended the meeting.

SECOND ORDER OF BUSINESS

Staff Reports

Mr. Diaz: Moving on to item No. 2, Staff Reports, if we could just go out of order for today, we do have a visitor and I don't want to waste his time. So, with us today is Mr. John Cusick from the Waterstone Grand Clubhouse and I believe the item of discussion is the upcoming agreements with the clubhouses for the Waterstone express pass, is that correct Mr. Manager?

Mr. Winkeljohn: Yes.

Mr. Diaz: Ok.

Mr. Cusick: First of all, thank you for having us. We do have the feedback that you guys have been waiting for awhile. The board wanted me to let you know that they did cancel their August meeting, there having been an almost two month delay in getting back to you. Myself and my assistant, Steve, have met personally and individually with all the board members and they also expressed their opinion at the last meeting they had last month. Before you left today, I guess there was some confusion last week, there may have been some other board members here, but I think there was just a communication error about the meeting. We knew it was scheduled for today, but I think there was an invitation sent out to the board members for last Thursday inadvertently. No one really missed anything, and we did get to poll all the opinions. They asked me if at all possible in the future, if it would be possible to have a copy of the agenda sent prior to the meetings for it to be posted at the Waterstone Grand Clubhouse?

Mr. Diaz: Paul can we just add them to the distribution list?

Mr. Winkeljohn: Yes.

Mr. Cusick: That would be great and I handle the other eight communities from there. Before we get into a position of the board, I've been asked to relay information from Melissa Gillant who manages Portofino Lakes and their management company is Innovative Property Management and this is strictly from them, not from Alton Madison or the clubhouse, but just relaying the message that they will not be participating in the pass program on any level. That's all the information I have right at this time. They've encouraged me, if you want to reach out to Ms. Gillant I can provide you with her number and again she's with Innovative Property Management who manages Portofino Lakes.

Mr. Diaz: There might be some misunderstanding with her John, we're going to have to correct it because there are no agreements between the subdivisions and so there's nothing she has to do anyway.

Mr. Winkeljohn: Right, well the piece that would be missing, since you guys do not manage them is that, are they a resident check, and so they won't get that benefit and so that's their loss really.

Mr. Diaz: Ok.

Mr. Cusick: Regarding the current position for the proposed agreement that's on the table. It is the position of the master that they would be willing to offer at no charge the conference room. Alton Madison is willing for their six communities to provide if need be the front entrance space for the communities, but at this time right now the board is going to pass on the present proposal. They don't want to shut the door on anything with helping out in the future, it was strictly a staffing and logistics item for them. However, they don't want to shut the door completely, they do want to provide space for the program to happen and I can assure you that those six communities that Alton Madison manages, we will be more than happy to help out in any way that we can to help facilitate the program.

Ms. Felipe-Ochoa: John I'm sorry to interrupt you, could you explain a little bit about the specifics, exactly what they're not agreeing to?

Mr. Cusick: Basically, it was mostly a staffing issue and the logistics of the program as far as taking the customers in all at once or if it was spread out. Basically I'm not able to speak for the board, I'm pretty much here just to present the facts that were presented to me.

Ms. Felipe-Ochoa: Ok, so do you think because you work with these people on a day to day basis that maybe they need more explanation or elaboration and maybe we can hold a town meeting because this is very, very important to facilitate all of our residents having that access before the gates are functional and it just seems like a hindrance, so I think it's just miscommunication, it's not fully understood, and that's completely understandable because this is a big project, so from your perspective if you could explain to the board how do you understand it, so we understand where the gap might be.

Mr. Cusick: I was actually fortunate enough to have two presentations from Mr. Winkeljohn, and the board was present for the second one, and I believe at that time they had time to ask any questions that they had and they did study over the contract, and I don't believe that they will probably move forward with this. I believe that their stand is pretty firm.

Ms. Felipe-Ochoa: Just because of staffing?

Mr. Cusick: And because of the clubhouse rentals in place, and again what we're trying to bring is an option of providing some space to help out which is the best that they see they can offer at this time.

Ms. Felipe-Ochoa: Well specifically as far as what?

Mr. Cusick: Offers the conference room, which is what Alton Madison provided, someone there to help set up for what you need, if you wanted to do the clicker remote control distributions, and the entrance to the neighborhoods, so they're offering you and/or both options.

Mr. Winkeljohn: That's great.

Ms. Felipe-Ochoa: Ok.

Mr. Winkeljohn: Back to Kim's point, there really isn't a hindrance to the residents in those respective communities, it was just an idea to separate the process and allow their deal to be handled and adhered at their particular clubhouse and the component that you know of, was to allow them to have an opportunity to verify their residents data basically. It's just a check and balance opportunity, and I can understand the dollar amount that they might make off of it that doesn't substantiate a staff person being distracted or used for that purpose, and that's a total business decision and it makes perfect sense.

Mr. Cusick: I don't think I could have summed it up any better than the way it was put forth by Mr. Winkeljohn. I think he's going off of the feedback that you got back from the board and that is also the way I heard it.

Ms. Felipe-Ochoa: I'm sorry, when I meant hindrance I was referring to Portofino Lakes.

Mr. Cusick: Well I can't comment on that.

Ms. Felipe-Ochoa: Yes, and I know that, so I'm sorry I said that.

Mr. Diaz: I'm sorry to interrupt, but for the record Sonia Castro has joined us in the meeting.

Mr. Winkeljohn: From my standpoint, and from an operational standpoint, I would have liked to have seen that check and balance, just for the overall benefit of the community, better data and better control of the residents which would probably equal

better security, but from the gate standpoint, it's easier to have one location and it will be a much cleaner process. We won't have to worry about training two sets of clubhouses, we'll just have to concentrate on one and if we want to work out a way where we decal certain vehicles at that location, maybe that makes sense, I don't know I haven't thought through that yet, but frankly from the District point of view, it's irrelevant because I've been told numerous times that the staff here is comfortable providing that service, so it's one-stop shopping and it's no big deal, everybody gets their decal, and everybody is happy and if one of these other associations wants to get involved and look at the data later, it's still available, it's not ever going to be a secret and we even looked at some collaboration on the data base, for example like I had showed you when we did the demo, you'd be able to log in and I would provide them a log in access as an administrator for those communities and you could review the data there, you just wouldn't have the decal responsibility, so you may still get what I'm talking about.

Mr. Cusick: I think that sounds really good. I must relay as much as I can from at least Pebblebrook from their property management, they were invited and I have informed them, and I'm sure they saw the notices to attend today and they chose not to. We have a very difficult time obtaining records and updates from that particular community. The other community is a little bit better with that, and if I can help clear up any information that you need from those communities, as far as rosters or expired leases, again, this is part of our day to day operation, so I would be happy to do that for you.

Mr. Diaz: Can I make a suggestion because I can see the direction that we're already going in. Let's say everyone has to come here to get their decals issued, and the majority I would say are homeowners, not renters, so we could probably just ask for a letter from that association saying that they're authorized, because usually they give us some type of letter saying they're authorized and if they don't have that letter or the warranty deed, proving that they are a homeowner, or proving that they are authorized by the HOA, we just don't issue the decal.

Mr. Winkeljohn: Yes, I'm just going to provide essentially the intended service either way, but because they are the managers of that group, they're going to be better at

it, and the ones that are not managers, your idea is exactly right, they would just include a document that they're authorized.

Mr. Diaz: Ok and then we would just put that in the initial mail out with the letter.

Mr. Winkeljohn: Yes.

Mr. Pawelczyk: They would still have to be a homeowner.

Mr. Winkeljohn: Right, and if I'm not a homeowner then we will accept those who are authorized as an additional person, and there's no reason why we couldn't do that, is that correct?

Mr. Pawelczyk: No, I don't think so.

Mr. Winkeljohn: So that works.

Mr. Diaz: I think a lot of these issues John, is it comes down to communication, it's miscommunication, one group believes one thing and another group believes another thing, and everyone believes totally different things and the facts aren't getting out there, and I think that's where we have a lot of our conflicts. Do we need any direction from the board Paul as far as the method of issuance? I think we've pretty much come to a consensus that we'll be getting it all to Waterstone II clubhouse to do in phases, I would imagine that's the way you're going to do it?

Mr. Winkeljohn: Correct.

Mr. Cusick: On a final note, the board asked me to extend their thanks to you on your presentation, they felt that it was very thorough and they felt that you had addressed everything they needed.

Mr. Winkeljohn: Great, anything else?

Mr. Cusick: No.

Mr. Diaz: Very good, thank you John.

Ms. Felipe-Ochoa: Ok, I have an idea but I'm not sure Alex is going to like it, but on the cover of the magazine, is there any way that we can incorporate what's going on with Christmas, and I know it's hard and it sounds ridiculous.

Mr. Diaz: Well I know what you're thinking, and unfortunately the cover has pretty much been laid out, it's the award that we won.

Ms. Felipe-Ochoa: Ok, but it hasn't been printed yet, so this is critical because people are uneducated to what all this is.

Mr. Diaz: Remember that we're going to be direct marketing.

Mr. Winkeljohn: Yes, and I would actually go a different direction, along that same idea, you might even consider a separate magazine just for this topic, just as a brochure, and then just do it directly, then there is no problem trying to make four things fit, you can't communicate that many things at once, so do the holiday magazine and then in January do a mail out right after that.

Mr. Diaz: That was exactly what my marketing strategy was, is to send and have brochures readily available at the clubhouses, with the information on how this is going to happen, take one for free and people can read it, make it as simple as possible and direct mail, first class mail, each one of those brochures with their letter and explaining the password, and everything else on how to get online and have it, like we had talked about, in English and in Spanish, so there wouldn't be any confusion, so that was the idea of the direct marketing and how to do that. Plus, we also talked about putting banners at the top of the guardhouses because everyone has to drive by those guardhouses and they would see a huge banner that says, go to www.southdadcdd.com to register your vehicle or whatever, and it will be on the website.

Mr. Winkeljohn: Right, and I'll do a website page just for this topic.

Mr. Diaz: Right, we're working with John on it, and John already took the photos for this marketing promotion of the Waterstone express pass, and he saw the logo and all of that and I think it would be good to have some type of training on how it works for all the staff of both clubhouses in case someone does have a question, or at least have them read the brochure, or whatever, because it's really simple. You go online with your password, you find your name and your folio number and your password that they give you in the mail, and you pre-register your car.

Ms. Castro: When you know what you want to write, and you want to do it in Spanish, let me know so I can translate that for you.

Mr. Diaz: We already have it actually. I think I sent it to Mike or maybe Paul for legal review, did I send it to you Paul?

Mr. Winkeljohn: Yes.

Mr. Diaz: Ok, because I remember I wrote a note that said we should have Mike review this for any legal questions.

Mr. Winkeljohn: Yes, and I don't think I sent it to him yet, but I can do that.

Mr. Diaz: Alright.

Ms. Castro: Ok, so when it's reviewed let me know, send it to me please Mike, so that I can translate it and I can also provide it to the individual communities.

Mr. Diaz: Alright John, are we done?

Mr. Cusick: Yes.

Ms. Felipe-Ochoa: Thank you.

Mr. Diaz: Thank you John for coming out here.

Mr. Cusick: You're welcome.

A. Attorney

Mr. Diaz: Moving on to staff reports, Mr. Attorney?

Mr. Pawelczyk: Yes, I'll be brief. The revocable license agreement with Stonebrook was recorded in the public records, so that's done. The Comcast agreement had been finalized and sent to Comcast and we're waiting for signature. Your consultant Jay Abbazia is following up on that regularly, because I know he's anxious to get it done.

Mr. Diaz: Paul do you have anything else to report on that?

Mr. Winkeljohn: Yes, they have acknowledged they have our signed copy and they're acting as though it's complete from a field perspective. They also sent me today, electronically the vendor profile account setup sheet and this is how they do business and we sent them our banking, electronic fund transfer information today, so they can send us the money.

Mr. Diaz: Excellent and while I have John here, just to relay to him. John, this is what we talked about maybe a year ago. Soon, I would imagine we will have free internet and cable to the clubhouse, Comcast will. Free basic cable for the whole clubhouse and

internet, so that should save some money for the clubhouse, so you can take that back to the board also.

Mr. Pawelczyk: And I don't have anything further to report today.

Mr. Diaz: Thank you Mike.

B. Engineer

Mr. Diaz: Ok moving to engineer report, Paul?

Mr. Winkeljohn: Nothing today.

C. Field Manager

Mr. Diaz: Ok, moving on to our field manager, Dennis?

Mr. Baldis: Yes. The Christmas decorations, the lights, the banners, and the wreaths, they're all pretty much installed and Christmas Designers will be back tomorrow to do the final touches to make sure everything is 100% for the race coming up. The annuals are being installed today, the mulching will be completed by Friday. The tree trimming is in the process right now, and I don't have a date, but maybe by the end of next week, that should be done. We have fertilized the plants, the grass. We put in fencing at the shed and there's a gate there and there's another bar coming to hold the two gates and they should be doing that maybe today because they're onsite and they're also going to paint the gate black at the shed here. They're painting the rails up at the main entrance, the aluminum rails are being painted turquoise today, and there are no Christmas lights on those because it's going to be a few days to let those cure so we don't have a problem with lights being on them. Again the fence company is onsite today, they're moving the fence at Waterstone Blvd. and 137th back to the proper line, so we have more room to do landscaping in that area. They repaired the fence at Marbella Cove that was vandalized down by lake #2, there were two big holes cut in by someone who decided they didn't want to use the gate or walk around. I have contacted the city of Homestead regarding putting green slats in the remaining lift stations but I haven't heard back from them. I did talk to them yesterday and today, but I don't have any answers as of yet. We requested the Turnpike people to repair the fence from 288th down to the canal which has pretty

much been neglected, it looks like it was full of vines and the vines evidently started to get heavy and pulled the fence down, the barbed wire is missing, so they're looking into repairing that fence. They also have declined, we asked them to put in a fence underneath the underpass at the canal, the overpass on the east side, and they came and looked at it because they do have a policy where they will fence underpasses off if they find people who have moved in and are living there, but they didn't find any evidence of that, there's just an enormous amount of graffiti so they declined to do that. I do have two AEW's from ValleyCrest for your consideration. The first one is to install green and silver buttonwood to cover fencing at lakes 4, 6, 7 and 8 and in a lot of these areas it's additional fencing that was added and there's no landscaping to mask it. This is for 14 three gallon silver buttonwoods at lake 8, 56 three gallon green buttonwoods at lake 4, 6 and 7, 14 seven gallon silver buttonwoods at lake 8, and 56 seven gallon green buttonwoods at lakes 4, 6, and 7 and it's for a total of \$2,800 dollars. This goes along with wherever we have fencing, we always put plants in front of it.

Mr. Cooper: What was the difference between why the sevens instead of the threes all around, what was their idea?

Mr. Baldis: To match the hedges that are already there, actually I'm sorry, I misspoke, excuse me, it's actually two options, one is for the three gallons and one is for the seven gallons, and it's not \$2,800 dollars, the first option with the three gallons would be \$560 dollars, the second option is for \$1,680 dollars and that would be for 14 silver and 56 green buttonwood, I apologize for that. So it's either \$560 or \$1,680 and the difference would be the size of the plants.

Mr. Diaz: Just to give a background Dennis where those came from, this is when you're driving down Waterstone Way and you see the gates or you see fencing, this is to conceal those gates and that fencing so it takes the look of the fence away once and for all. Now the difference here would be the three gallon, you would have it two or three feet high, and the seven gallon would be close to matching the current, it just wouldn't be full, that's all.

Mr. Cooper: And right now we're out of growing season, right?

Mr. Diaz: Yes, this is winter, so this is non-growing season.

Mr. Cooper: So it's going to take a lot longer for the three gallon ones to match with everything else, correct?

Mr. Baldis: Yes.

Mr. Diaz: Alright is there a motion on the floor?

Ms. Castro: I will venture to say that I would support the motion for the seven gallon and have everything matching and what was the cost of that?

Mr. Diaz: \$1,680 dollars.

Ms. Castro: Alright, so that's not much and it's going to match and it will be pretty for the winter.

On MOTION by Ms. Castro seconded by Mr. Cooper with all in favor, authorizing the AEW from ValleyCrest relating to the seven gallon buttonwood plant installation in front of the fence and gate area at Waterstone Way not to exceed \$1,680 dollars was approved.

Mr. Diaz: Dennis, No. 2?

Mr. Baldis: No. 2 is the installation and replacement of oak trees on Waterstone Way, southbound and northbound and that would be for 23 fourteen foot oak trees and the mulch to go around those and that's the area, the area down here by the traffic circle, there's some trees that were installed by the developer that were not exactly class A, they're rather small and a lot of them have been planted incorrectly and there is little chance that they're ever going to grow into being trees that would be attractive and the price to replace the 23 trees at fourteen feet would be \$9,131 dollars.

Ms. Felipe-Ochoa: And where is this location again?

Mr. Diaz: This is from NE 12 Street to the new traffic circle by the school, all those trees.

Ms. Felipe-Ochoa: Where the new curbing is?

Mr. Diaz: Yes, on the berms, for the back, by the fence line.

Mr. Cooper: Is that something we could add to the punch list?

Mr. Diaz: Yes, that's definitely going on the punch list and these trees would be the same type we planted over by the school which are the top of the line type and of course this would go on the punch list as items that needed to be done the correct way.

Ms. Felipe-Ochoa: Well, can we get them cheaper?

Mr. Baldis: Well, I can always go back and ask them, sure.

Ms. Castro: Dennis, what do you have to say about that? What's your opinion, is that a good price, do you think we can hold off on the replacement because it's going to go on a punch list or what do you think we should do?

Mr. Baldis: Well it's subjective, it's what you'd like to see there. You have trees there that are inferior, they're not growing, and they're probably not going to grow.

Mr. Diaz: The longer you wait, the longer you're waiting for the ones you put in to grow.

Mr. Baldis: Right, and it's strictly your preference of what you would like to see in your community.

Ms. Castro: Yes, but I'm asking for your opinion, what would you do?

Mr. Pawelczyk: I think what Sonia is asking is, what do you recommend?

Mr. Baldis: What do I recommend? Well, all the investment you put in with the traffic circle, the curb, and everything else you're putting into the community with your plants, the decorations, and everything that goes into that, I don't know why you would stop and say I'm not going to replace this and make this right.

Ms. Felipe-Ochoa: But since our meetings are so close together we can try and negotiate the price, I agree, they need to be out of there but the price needs to be a little bit lower.

Mr. Diaz: Well we could entertain the original motion which was \$7,500 not to exceed \$8,000 dollars, a counteroffer for \$7,500, but with your discretion not to exceed \$8,000.

Mr. Cooper: Well I don't understand why we would go ahead and limit Dennis, obviously he's going to negotiate the best price for us, so if we know that this is what it costs, he can do whatever he needs to do in order to make it the best price he can, so if it

comes in at \$8,100 dollars, now we have to come back to another meeting to have that approved.

Mr. Diaz: I see your point, so does the board want to give Dennis his discretion?

Ms. Felipe-Ochoa: Well, I gave my not to exceed amount and I think since we're meeting so frequently that another two weeks would not make a difference.

Mr. Diaz: Well, we may not be meeting at the next meeting because that's Thanksgiving.

Mr. Winkeljohn: That's up to you.

Ms. Felipe-Ochoa: Right and then the next meeting after that is?

Mr. Winkeljohn: The second week in December.

Mr. Cooper: I just don't want to handcuff Dennis, he always negotiates and gets the best price.

Ms. Felipe-Ochoa: Yes, I understand, so would that discretionary \$500 apply in this case, but not if I give him that motion not to exceed \$8,000 correct?

Mr. Winkeljohn: That's correct.

Mr. Diaz: Ok, so there's still a motion on the floor, to negotiate to \$7,500, but not to exceed \$8,000 dollars and it's been moved and seconded, so all those in favor?

On MOTION by Ms. Felipe-Ochoa seconded by Ms. Castro with all in favor, authorizing the AEW from ValleyCrest relating to the installation and replacement of 23 oak trees on Waterstone Way, northbound and southbound, to be renegotiated for \$7,500 or a not to exceed amount of \$8,000 dollars was approved.

Mr. Baldis: That's all I have unless you have questions for me.

Ms. Castro: I do have a question.

Mr. Diaz: Yes.

Ms. Castro: Does the finishing of the lighting include the monument by the Boulevard, because we don't have the wreath that goes on the monument or the poinsettias?

Mr. Baldis: I can tell you today I saw them finishing the monument, but I'm not sure how long that would have to sit before they could put the lights on.

Mr. Diaz: The goal was, and it was my understanding to have the decorations on that monument by Monday and we're trying to push the sign people to also install the graphics in by Monday as well, to make it on time for the article in the magazine.

Mr. Winkeljohn: We're trying.

Mr. Cooper: Can I make a comment on the whole Christmas project? I don't know what the board's decision would be for next year, but speaking for myself, I don't really care that it's done piecemeal, I would have preferred to see it all done either over a two or three day span as opposed to a week and a break in between, because we are trying to set an example for the community and when people come into Waterstone they see something different that they don't see anywhere else in Homestead, and if things are done right, or they're not done completely that reflects badly on us as a community.

Mr. Diaz: Well, I agree with you 100%, this time around it was a mess.

Mr. Baldis: Well in all the communities that I decorate, I've had Christmas lights in trees since September, so it's not like you just wave a magic wand and someone shows up and everything gets done, you have to consider that this year you've added 42 wreaths at the last minute and wanted those up right away, which they are here and up. So there's a lot of different components, there's a construction site that the monument is not ready, so I don't know if it falls on the Christmas light people those extra orders and the construction site isn't done to point the finger at them, and say they piecemealed, they made every effort to get it done early so it would be ready for Friday, and it will be, so I'm not sure where all that's coming from, because a lot of effort and work goes in to make it look right, and it will look right, so it's hard to do and it's not an easy task.

Ms. Castro: Well what I would like, is maybe for next year the wreaths be a little bit higher because some of them are being blocked by tree branches.

Mr. Diaz: We had that issue, and actually what I was thinking was, is maybe we could reconfigure some of our landscaping to adjust for that, knowing that we're going to be doing this.

Mr. Baldis: Well the trees are being trimmed now and the poles that were picked were because they were exposed.

Mr. Diaz: Yes, there's six that didn't get anything at all because there's just too many trees around it.

Mr. Baldis: Right.

Mr. Diaz: Anything else Dennis?

Mr. Baldis: No sir.

Mr. Diaz: Any other questions from the board for Dennis? Ok, so we're done with Dennis.

D. Manager

Mr. Diaz: So moving on to Paul, for the Manager's report.

Mr. Winkeljohn: Well, you may remember when I first talked to you about the way this construction was going to go, I mentioned to you that the vertical part of construction will happen in about a month to six weeks and then it won't look like much happens for about a month to six weeks, well we're at the end of that second month to six weeks, where it doesn't look like a whole lot has happened, and on the schedule, not a whole lot did happen. Numerous long construction stories, but I won't bore you with them today, I will tell you that the contractor has been put on notice that some of the little conflicts that have slowed him down are his responsibility to un-conflict permit issues to resolve inspection timing and he's had a little bit of that headache because the city switched from an in-house inspector, to a private inspector, and the private inspectors had all new ideas than the in-house inspectors. One of the benefits that we thought we'd get is that at the inspections would finish on one gate, then in a week or two later they'd be ready for the second gate, they would have built it better the second time around, so it would be a faster inspection process, but none of that has come out effectively because we've had two different types of inspectors, so that's been a real headache, but he is resolving those issues and he's been put on notice that he's late and he is behind now. Two months ago I said he would have been done, the first week in November and obviously that passed us last week, so the six weeks he really has been dragging and I feel pretty confident that he

knows what he's got to do to finish this last push. It's a few ordering mistakes, and a few coordination issues, electrician, security, and a lot of that, but I feel pretty confident from our meeting today that he gets it, and I asked him for an updated schedule today and I got that, he right now thinks that his final punch list and walk through will be December 4th, which is really in three weeks, with a week in between there for the holiday.

Ms. Felipe-Ochoa: Is there any way for you to give him direction as to have the same inspector, is that not allowed?

Mr. Winkeljohn: Well that's his choice, you call up the city and say ok, I have my electrical rough in, and they send out whoever they can.

Ms. Felipe-Ochoa: But is there any way that he can request a specific inspector?

Mr. Winkeljohn: It's not at a big savings here on out, because we're through all that.

Ms. Felipe-Ochoa: Well, I'm just thinking about the timeline.

Mr. Winkeljohn: Yes, and I put it to him that way also, that he needs to get more involved in those issues so that if there is a day delay that he figures out how to make up that day, you no longer have the luxury of external parties causing your delays, it's actually your fault from now on and he understands that. I think, like I said, that six week period where you don't really see a whole lot there's actually a lot of little stuff going on. One of the problems that we've noticed that the one gate, the gate out on 137th and Waterstone Way is behind the other two significantly and it was because of a window, when he ordered the first set of windows, the manufacturer I guess was anxious and sent them a week early from when he anticipated them, they actually had them a week before they were even ready for them, so he decided to wait a little longer to order the third gate and the opposite happened, he's three weeks late on the window, so that simple error, pushes everything in construction back because you can't do drywall without the windows in there, and you can't do a lot of material finishes without being sealed up so, he made a mistake and he'll move forward. I mentioned to him that his 120 day calendar, which was the original contract had probably three maybe even up to five weeks of reasonable delay and he's past that now, so I said theoretically, I've instructed the architect

to quantify his delays from their standpoint, and to quantify the liquidated damages that he would be responsible for should we choose to charge them. To me that's a negotiating point, there's going to be some costs for change orders and little things, but there's numerous things, this is when the negotiating tactics that I applied from the very beginning, if you push too hard and you mistreat or don't properly treat a contractor at the beginning you can get issues at the end where you have no leverage. I'm very confident to report to you that I have a significant amount of leverage with this contractor, not just monetarily, but on an interpersonal level. I haven't called in a lot of favors, I haven't put him under the gun as much as some people would at the very beginning, but now I can because he owes me, and he owes us, and if he had any workmanship issues, I would have applied a different tactic totally, but I would argue the quality of his workmanship has been very good for the low bidder in a construction project that we thought would be almost a million dollars that we got for \$400,000 dollars, so I'm pleased with that part of it, but the delays are starting to get chronic and he's being pushed at this point.

Mr. Diaz: And no one is arguing it was a great deal.

Mr. Winkeljohn: So sometimes you have to deal with it, so we'll work with him, and the goal I always have with a contractor is if he's losing money excessively, you're going to get nothing good, and so I push him out of his profit threshold then we get garbage, so I'm working with him, pressure wise and pace wise and material wise to get what we paid for obviously, and to get quality, but also to keep him so that he's still making money in the last few weeks of the project because what happens is a lot times is he realizes three quarters of the way through the project that he's going to lose money and so you get really bad work, they stop showing up and they start to really pinch you and so there's a lot of things we juggle in this type of a project when the budget was so desirable from our standpoint, but I feel pretty good that he's going to be in that first week of December where really after that is where we get crazy on the security systems and you won't see a lot visible after that period, but that's about a month of work by itself.

Mr. Diaz: And I spoke to Paul today about where we're at with the budget with this whole project and he's pretty confident that we're still way under budget.

Mr. Winkeljohn: Yes, and remember we were considerably under budget up to the tune of \$200,00 to \$300,000 dollars under budget on the widening part because we deleted the roundabout, that money is still essentially available to us, and we've increased the gatehouse budget because of the widening for the gatehouses, but the remaining two gatehouses, and they're still a couple of hundred thousand dollars in that pot, so we're looking about \$200,000 to \$300,000 dollars ahead of budget, and I started to increase some of the quality of the electronics for the gates. For instance, I've added probably \$10,000 which will come back in a change order, to the security system box that runs all the cameras. There was a price break where a four camera box was what we originally spec'd, but a 16 camera box with an unbelievable amount of memory capability was available for that price difference and it gives us the opportunity to add remote cameras and additional security systems and let the gates be the hub for those and that sort of decision making. I usually wait until this part of the project where I don't see anything glaring or coming up on a permit or anything and then we can make the fine tuning of our purchases to get more, so we're on track, we're on budget, and I feel pretty good about what we're going to get, I am just dying to get the server running so I can start testing and get a lot of work done, but it will get done, I just wish I could be doing it right now, but I can't, not just yet.

Mr. Diaz: Very good.

Mr. Winkeljohn: Thank you.

Ms. Felipe-Ochoa: When is the contractor that put up the veneers, I don't know which one it is, on the bridge going to clean up the excess veneers?

Mr. Winkeljohn: Yes, I noticed there was still some today, and I thought it would have already been cleaned up because he's pretty much finished, he's got a little bit of fine tuning still to do on the Boulevard, but I offered to let him come back in about a week or so and touch up and finish that because it won't be that noticeable and then he would clean up at that time. I didn't think he was actually going to leave that much, so I'll have him jump on that. So they're out here again tomorrow, JVA is, and that was a subcontractor of JVA, so it doesn't really matter to me, him or his subcontractor, but I'll have him do it tomorrow.

Mr. Diaz: Very good.

Ms. Felipe-Ochoa: The second item is, the curbing, which is still not matching.

Mr. Winkeljohn: Yes, well there are two topics, are you talking about the newest curbing?

Ms. Felipe-Ochoa: Right, it's the new curbing too, the older curbing, the recently finished one between Floridian Estates and Portofino Bay still doesn't match, it's grey and now I'm seeing on the new curbing there's a little bit of that going also, it's not as dark, but it's grey, and it's not white.

Mr. Winkeljohn: Ok, and a lot of things can happen on a concrete pour to affect the finished color, so I'm going to have to ask him what he thinks.

Mr. Diaz: I had that meeting with him onsite and he said that in both cases they had the misfortune of it raining, and it got wet and that messed up the consistency, so they're going to try a different layer over it, and he says over time they'll equal out, but it could take awhile.

Mr. Winkeljohn: Right, it affects the curing and that happened to us yesterday on the Boulevard sign, they had just put the scratch coat of stucco and it rained instantly as soon as he got done doing it, but fortunately there are several layers so it will get covered but your paint won't stick as well, so concrete in the rain is a horrible timing issue, and it happens to sidewalks out here. We have a couple of sidewalks you'll notice they'll be a different color and that's exactly what happened.

Mr. Diaz: Well yesterday they poured not only those curbs but the two sidewalks on both sides at Portofino Point that needed to be done and got done too, and yes, they are a little bit darker, but he says that he's going to try to fix it, either by paint, a special sealing paint for curbs, or if he has to he's going to have to remove it all and redo it again.

Mr. Winkeljohn: I did notice them today myself.

Ms. Felipe-Ochoa: Ok, one last thing, I know that there's another CDD out there with the name of Waterstone, does that mean that we could not change our name to something like South Waterstone, or Waterstone South, or something to that affect, do we have to keep that name because I have to tell you, I've been here all my life, and when

people say South-Dade, they think of the Redlands, they don't think of East Homestead, or anything, and I know you have a lot on your plate Paul, I'm not asking you to do this now.

Mr. Winkeljohn: Well, we've looked at it, and Mike probably remembers the answer, but your District name, you really can't change that, but what you call yourselves, I think we can do pretty much whatever we want, other than we can't call ourselves a CDD that already exists.

Mr. Pawelczyk: Well, I suppose the only other thing you can do is petition the City of Homestead and Miami-Dade County to change the name, but in all likelihood they're going to require a \$15,000 dollar application fee per entity to do that change, because they can charge you \$15,000 dollars per the statute.

Ms. Felipe-Ochoa: Per entity, so we would have two.

Mr. Pawelczyk: That's correct, \$30,000 to change the name, it could be, plus you have to go to both commissions, it would be the City of Homestead, at least one meeting, and then two meetings to pass the ordinance changing the name at the county. Now, this hasn't been done, it just never has been done to my knowledge no District has ever changed its name, so I'm just saying they could charge that amount but I know it's never been done in Miami-Dade and that's where you'd be going and the state of the government the way it is now, you can be pretty darn sure they're going to charge you a significant application fee to process that request, even though it is only a name change.

Ms. Felipe-Ochoa: Right, ok, I just wanted to know the answer to that question. The only reason I asked is because when I speak to the residents, they don't understand the correlation and it's like a 20 minute conversation just on the name.

Mr. Winkeljohn: Ok, well the only other thing I had was that there's obviously a one week difference between today and our next scheduled meeting, and my staff is ready to prepare next week's agenda packet and everything and it's still early for your normal meeting cycle, so financials and minutes will not be ready for that meeting because of the timing of the bank records and things like that, we can't make that happen any faster, so my advice is because you are going to meet the second week in December, that you may

want to consider because of the holidays cancelling next week's meeting, so I would just need to know that now and it would be best to know now.

Mr. Diaz: Do you need a motion for that?

Mr. Winkeljohn: Yes, a motion would probably be a good idea.

On MOTION by Mr. Cooper seconded by Ms. Felipe-Ochoa with all in favor, cancelling the December 24, 2009 meeting was approved.

THIRD ORDER OF BUSINESS

Supervisors Requests and Audience Comments

Mr. Diaz: Alright, next is Supervisors Requests and Audience Comments. Sonia do you have anything?

Ms. Castro: No.

Mr. Diaz: Kim?

Ms. Felipe-Ochoa: No, thank you.

Mr. Diaz: Alright, Curtis?

Mr. Cooper: I'm good, thank you.

Mr. Diaz: Ok, and the only thing I have is that we did hire three off duty police officers for Halloween and I did not get any reports of any problems or situations during Halloween or the 31st. I think we also hired one for Friday night, the night before Halloween, so that went well. The magazine, we continue to finalize it and hopefully we should have that out by the second week of December. I know that's cutting it close but we have a lot of things pending and we want to make sure we get all those in the articles, and we did receive the award for our merit award, and it's sitting inside the office, and we're going to be putting it up here and I'm going to be ordering a second one for the Waterstone Grand clubhouse. That's all I have.

FOURTH ORDER OF BUSINESS

Adjournment

Mr. Diaz: There being no other comments, I would just entertain a motion to adjourn the meeting.

On MOTION by Mr. Cooper seconded by Ms. Felipe-Ochoa with all in favor, the Meeting was adjourned.

Secretary / Assistant Secretary

Chairman / Vice Chairman

NOTES:

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Agenda Items:

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